

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

LISA R. JOHNSON, )  
v. )  
Plaintiff, ) ) NO. CIV-15-1009-HE  
CAROLYN W. COLVIN, )  
Acting Commissioner )  
of Social Security Administration, )  
Defendant. )

**ORDER**

Plaintiff Lisa R. Colvin filed this suit to appeal the final decision of the Acting Commissioner of the Social Security Administration (“Commissioner”) denying her application for disability insurance benefits and supplemental security income benefits under the Social Security Act. The case was referred for initial proceedings consistent with 28 U.S.C. § 636(b)(1)(B) to U.S. Magistrate Judge Bernard M. Jones, who recommends that the decision of the Commissioner be reversed and the matter remanded for further proceedings. Objections to the Report and Recommendation were due by December 2, 2016. No objection has been filed.

Having failed to object to the Report and Recommendation, the parties have waived their right to appellate review of the factual and legal issues it addressed. Martinez v. Barnhart, 444 F.3d 1201, 1208 (10th Cir. 2006); 28 U.S.C. § 636(b)(1)(C) (“A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations *to which objection is made.*” (emphasis added)).

Accordingly, the Report and Recommendation [Doc. No. 19] is **ADOPTED**. The decision of the Commissioner is **REVERSED** and this case is **REMANDED** for further proceedings consistent with the Report and Recommendation, a copy of which is attached to this order.

**IT IS SO ORDERED.**

Dated this 8<sup>th</sup> day of December, 2016.



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JOE HEATON  
CHIEF U.S. DISTRICT JUDGE